

“(ii) for each noninsurable commodity on a farm, the product obtained by multiplying—

“(I) 100 percent of the noninsured crop assistance program established price for the commodity; and

“(II) the quantity of the commodity produced on the farm, adjusted for quality losses.”.

(3) **WAIVER FOR SOCIALLY DISADVANTAGED, LIMITED RESOURCE, OR BEGINNING FARMER OR RANCHER.**—Section 901(d)(5)(B)(ii) of the Trade Act of 1974 (19 U.S.C. 2497(d)(5)(B)(ii)) is amended by striking “section” and inserting “subsection”.

(4) **TREE ASSISTANCE PROGRAM.**—Section 901(f)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2497(f)(2)(A)) is amended by striking “the Secretary shall provide” and inserting “the Secretary shall use such sums as are necessary from the Trust Fund to provide”.

(5) **DE MINIMIS EXCEPTION TO RISK MANAGEMENT PURCHASE REQUIREMENT.**—Section 901(g) of the Trade Act of 1974 (19 U.S.C. 2497(g)) is amended by adding at the end the following:

“(6) **DE MINIMIS EXCEPTION.**—

“(A) **IN GENERAL.**—For purposes of assistance under subsection (b), at the option of an eligible producer on a farm, the Secretary shall waive paragraph (1)—

“(i) in the case of a portion of the total acreage of a farm of the eligible producer that is not of economic significance on the farm, as established by the Secretary; or

“(ii) in the case of a crop for which the administrative fee required for the purchase of noninsured crop disaster assistance coverage exceeds 10 percent of the value of that coverage.

“(B) **TREATMENT OF ACREAGE.**—The Secretary shall not consider the value of any crop exempted under subparagraph (A) in calculating the supplemental revenue assistance program guarantee under subsection (b)(3) and the total farm revenue under subsection (b)(4).”.

(6) **RISK MANAGEMENT PURCHASE REQUIREMENT WAIVER FOR 2009 CROP YEAR.**—Section 901(g) of the Trade Act of 1974 (19 U.S.C. 2497(g)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “(other than subsection (c))” and inserting “(other than subsections (c) and (d))”; and

(ii) in subparagraph (A), by inserting “, excluding grazing land” after “producers on the farm”;

(B) in paragraph (2), by striking “grazed, planted,” and inserting “planted”;

(C) in paragraph (4), by striking “(4)” and all that follows through “In the case” and inserting the following:

“(4) **WAIVERS FOR CERTAIN CROP YEARS.**—

“(A) 2008 CROP YEAR.—In the case”; and

(D) by adding at the end the following:

“(B) 2009 CROP YEAR.—In the case of an insurable commodity or noninsurable commodity for the 2009 crop year that does not meet the requirements of paragraph (1) and the relevant crop insurance program sales closing date or noninsured crop assistance program fee payment date was prior to August 14, 2008, the Secretary shall waive paragraph (1) if the eligible producer of the insurable commodity or noninsurable commodity pays a fee in an amount equal to the applicable noninsured crop assistance program fee or catastrophic risk protection plan fee required under paragraph (1) to the Secretary not later than 90 days after the date of enactment of this subparagraph.”.

(7) **PAYMENT LIMITATIONS.**—Section 901(h) of the Trade Act of 1974 (19 U.S.C. 2497(h)) is amended by adding at the end the following:

“(5) **TRANSITION RULE.**—Sections 1001, 1001A, 1001B, and 1001D of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.) as in effect on September 30, 2007, shall continue to apply with respect to 2008 crops.”.

Mr. ETHERIDGE (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from North Carolina?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ETHERIDGE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PRICE OF HOMELAND SECURITY ACT

Mr. ETHERIDGE. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6098) to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008” or the “PRICE of Homeland Security Act”.

SEC. 2. CLARIFICATION ON USE OF FUNDS.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Grants” and all that follows through “used” and inserting the following: “The Administrator shall permit the recipient of a grant under section 2003 or 2004 to use grant funds”; and

(B) in paragraph (10), by inserting “, regardless of whether such analysts are current or new full-time employees or contract employees” after “analysts”; and

(2) in subsection (b)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) **LIMITATIONS ON DISCRETION.**—

“(A) **IN GENERAL.**—With respect to the use of amounts awarded to a grant recipient under section 2003 or 2004 for personnel costs in accordance with paragraph (2) of this subsection, the Administrator may not—

“(i) impose a limit on the amount of the award that may be used to pay for personnel, or personnel-related, costs that is higher or lower than the percent limit imposed in paragraph (2)(A); or

“(ii) impose any additional limitation on the portion of the funds of a recipient that may be used for a specific type, purpose, or category of personnel, or personnel-related, costs.

“(B) **ANALYSTS.**—If amounts awarded to a grant recipient under section 2003 or 2004 are used for paying salary or benefits of a qualified intelligence analyst under subsection (a)(10), the Administrator shall make such amounts available without time limitations placed on the period of time that the analyst can serve under the grant.”.

Mr. ETHERIDGE (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from North Carolina?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ETHERIDGE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

RELATING TO SELECTIVE SERVICE REGISTRATION

Mr. TOWNS. Madam Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 7216) to amend section 3328 of title 5, United States Code, relating to Selective Service registration, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill is as follows:

H.R. 7216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SELECTIVE SERVICE REGISTRATION.

(a) **IN GENERAL.**—Section 3328 of title 5, United States Code, is amended by striking subsection (b) and inserting the following:

“(b)(1) Except as provided in subsection (c), the Director of the Office of Personnel Management, in consultation with the Director of the Selective Service System, shall prescribe regulations to carry out this section.

“(2) Such regulations—

“(A) shall provide for exceptions to determinations of ineligibility under this section to allow for the appointment of an individual who was discharged or released from active duty in the armed forces under honorable conditions; and

“(B) may provide that determinations of eligibility under the requirements of this section shall be adjudicated by the Executive agency making the appointment for which the eligibility is determined.

“(c)(1) The Director of the Selective Service System, in consultation with the Director of the Office of Personnel Management, shall prescribe procedures—

“(A) for the adjudication of determinations of whether a failure to register was knowing and willful; and

“(B) under which such a determination may not be made if the individual concerned shows by a preponderance of the evidence that the failure to register was neither knowing nor willful.

“(2) The procedures under paragraph (1) may provide that determinations referred to in paragraph (1)(A) shall be adjudicated by the Executive agency making the appointment for which the eligibility is determined.”

(b) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Director of the Selective Service System, in consultation with the Director of the Office of Personnel Management, shall prescribe regulations under section 3328(c) of title 5, United States Code, as added by subsection (a) of this section.

(c) READJUDICATION OF DETERMINATIONS.—Any individual whose case was or is adjudicated under section 3328(b) of title 5, United States Code, during the period beginning on February 21, 2007, through the date on which the regulations are prescribed or amended under subsection (b) of this section are in effect, and whose case involve a determination of whether a failure to register was knowing and willful, may have his or her case readjudicated in accordance with such regulations as so prescribed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL REAL PROPERTY DISPOSAL ENHANCEMENT ACT OF 2008

Mr. TOWNS. Madam Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 7217) to amend title 40, United States Code, to enhance authorities with regard to real property that has yet to be reported excess, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill is as follows:

H.R. 7217

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Real Property Disposal Enhancement Act of 2008”.

SEC. 2. DUTIES OF THE GENERAL SERVICES ADMINISTRATION AND EXECUTIVE AGENCIES.

(a) IN GENERAL.—Section 524 of title 40, United States Code, is amended to read as follows:

“§ 524. Duties of the General Services Administration and executive agencies

“(a) DUTIES OF THE GENERAL SERVICES ADMINISTRATION.—

“(1) GUIDANCE.—The Administrator shall issue guidance for the development and implementation of agency real property plans. Such guidance shall include recommendations on—

“(A) how to identify excess properties;

“(B) how to evaluate the costs and benefits involved with disposing of real property;

“(C) how to prioritize disposal decisions based on agency missions and anticipated future need for holdings; and

“(D) how best to dispose of those properties identified as excess to the needs of the agency.

“(2) DATABASE.—The Administrator shall establish and maintain a single, comprehensive, and descriptive database of all Federal real property assets under the custody and control of all executive agencies, other than real property assets excluded for reasons of national security. The Administrator shall collect from each executive agency such descriptive information, except for classified information, as necessary in order to describe the nature, use, and extent of the real property holdings of the Federal government. The descriptive information for each piece of real property shall include—

“(A) geographic location with address and description;

“(B) total size including square footage and acreage;

“(C) mission criticality; and

“(D) the level of utilization of the property, including whether the real property is excess, surplus, underutilized, or unutilized.

“(3) USABILITY.—(A) The database established and maintained under this section shall be accessible by agencies through a searchable Web site.

“(B) A searchable Web site means a Web site that, at a minimum, allows agencies—

“(i) to search and aggregate Federal real property by constructed asset, facility/installation, agency, location, and level of utilization; and

“(ii) to download data from any such search.

“(C) To the extent consistent with national security, the database shall be accessible by the public at no cost through the Web site of the General Services Administration. The Administrator may withhold from public disclosure information included in the database if the Administrator determines that withholding such information would be in the best interest of the Government or the public. At a minimum, the Administrator shall make aggregate information contained in the database available to the public.

“(D) Nothing in this paragraph requires an agency to make available to the public information that is exempt from disclosure pursuant to section 552 of title 5, United States Code (popularly known as the Freedom of Information Act).

“(4) ANNUAL REPORT.—(A) The Administrator shall submit an annual report, for each of the first 5 years after 2008, to the congressional committees listed in subparagraph (C) based on data submitted from all executive agencies, detailing executive agency efforts to reduce their real property assets and the additional information described in subparagraph (B).

“(B) The report shall contain the following information for the year covered by the report:

“(i) The aggregated estimated market value and number of real property assets under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

“(ii) The aggregated estimated market value and number of surplus real property assets under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

“(iii)(I) The aggregated cost for maintaining all surplus real property under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

“(II) For purposes of subclause (I), costs for real properties owned by the Federal government shall include recurring maintenance and repair costs, utilities, cleaning and janitorial costs, and roads and grounds expenses.

“(III) For purposes of subclause (I), costs for real properties leased by the Federal government shall include lease costs, including base and operating rent and any other relevant costs listed in subclause (II) not covered in the lease contract.

“(iv) The aggregated estimated deferred maintenance costs of all real property under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

“(v) For each surplus real property facility/installation disposed of, an indication of—

“(I) its geographic location with address and description;

“(II) its size, including square footage and acreage;

“(III) the date and method of disposal; and

“(IV) its estimated market value.

“(vi) Such other information as the Administrator considers appropriate.

“(C) The congressional committees listed in this subparagraph are as follows:

“(i) The Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

“(ii) The Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate.

“(5) ASSISTANCE.—The Administrator shall assist executive agencies in the identification and disposal of excess real property.

“(b) DUTIES OF EXECUTIVE AGENCIES.—

“(1) IN GENERAL.—Each executive agency shall—

“(A) maintain adequate inventory controls and accountability systems for property under its control;

“(B) continuously survey property under its control to identify excess property;

“(C) promptly report excess property to the Administrator;

“(D) perform the care and handling of excess property; and

“(E) transfer or dispose of excess property as promptly as possible in accordance with authority delegated and regulations prescribed by the Administrator.

“(2) SPECIFIC REQUIREMENTS WITH RESPECT TO REAL PROPERTY.—With respect to real property, each executive agency shall—

“(A) develop and implement a real property plan in order to identify properties to declare as excess using the guidance issued under subsection (a)(1);

“(B) identify and categorize all real property owned, leased, or otherwise managed by the agency;

“(C) establish adequate goals and incentives that lead the agency to reduce excess real property in its inventory;

“(D) when appropriate, use the authorities in section 572(a)(2)(B) of this title in order to identify and prepare real property to be reported as excess.

“(3) ADDITIONAL REQUIREMENTS.—Each executive agency, as far as practicable, shall—

“(A) reassign property to another activity within the agency when the property is no longer required for the purposes of the appropriation used to make the purchase;